

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. Grace & Co, *et al.*,

Debtors.

Chapter 11

Case No. 01-01139 (JKF)
(Jointly Administered)

Re: D.I. 20275

**LIMITED OBJECTION OF LUKINS & ANNIS, P.S. TO MOTION FOR ORDER OF
PRELIMINARY APPROVAL OF CLASS SETTLEMENT AND CERTIFICATION
OF THE U.S. ZIA CLASS**

Lukins & Annis, P.S., by and through its attorneys, Finger, Slanina & Liebesman, LLC, hereby objects on a limited and conditional basis to the Motion for Order of Preliminary Approval of Class Settlement and Certification of a U.S. ZIA Class.

Lukins & Annis, P.S. has no objection to the settlement of the claims of the class as set forth in the Settlement Agreement and motion seeking approval of the Settlement Agreement. Lukins & Annis, P.S. supports settlement under the terms and conditions set forth in the Settlement Agreement.

Lukins & Annis, P.S., enters this limited and conditional objection to the Motion on the basis that the Motion contains certain factual representations and statements which could be seen as seeking preliminary approval of entitlement to fees and costs for legal work benefiting the class of ZAI claimants. As set forth in various pleadings filed by the Scott Law Group and Darrell W. Scott, Mr. Scott was employed by Lukins & Annis, P.S. through December 31, 2003. By way of example, see D.I. 20036 filed on November 14, 2008. During the period of Mr. Scott's employment with Lukins & Annis, P.S., the Washington and Montana class actions were filed, the Washington class action was certified and Grace filed this bankruptcy proceeding. Following Mr. Scott's termination of employment with Lukins & Annis, P.S., Mr. Scott continued to represent the Washington class and the putative national class and Mr. Scott and Lukins & Annis, P.S., attempted to reach an agreement on sharing of fees. No agreement was reached and it is assumed that a court order determining the entitlement to fees will be required.

Based on the foregoing, Lukins & Annis, P.S., requests that the Order on the pending Motion contain no provisions which would be deemed, explicitly or implicitly, to be rulings on the entitlement to fees and costs resulting from legal work which benefited the ZAI class of claimants. Lukins & Annis, P.S. reserves all rights with regard to entitlement to fees and costs arising from its legal work for the ZAI claimants.

Dated: December 30, 2008

Respectfully submitted,

/s/ David L. Finger

David L. Finger (DE Bar ID # 2556)

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Attorney for Lukins & Annis, P.S.

CERTIFICATE OF SERVICE

I, David L. Finger, hereby certify that on this 30th day of December, 2008, I caused the foregoing document to be served via e-mail and first class, postage prepaid, on the below-listed counsel of record:

Willaim D. Sullivan, Esq.
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Service was also made via CM/ECF on all parties signed up to receive such notice.

/s/ David L. Finger
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